

Message

From: Beal, Madeline [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=291BA88A5DE94AB7A8C6F1789C7985E8-BEAL, MADEL]
Sent: 5/12/2021 5:05:36 PM
To: Kiah Collier [Kiah.Collier@propublica.org]
CC: Press [Press@epa.gov]
Subject: RE: Media inquiry (EtO)

Kiah,

Here is a response to your final question. We would be happy to help if other questions come up.

Thanks,
-Madeline

Q: Last year, the Texas Commission on Environmental Quality updated its EtO exposure limit to a level that is several thousand times less protective than the EPA has recommended. Does the agency have any plans to challenge or otherwise engage with TCEQ on this new standard? Both environmental and industry groups have petitioned the EPA to reconsider the National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing Residual Risk and Technology Review. Can you say how the EPA plans to respond?

Response: In 2020, environmental and industry groups petitioned the EPA to reconsider the National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing Residual Risk and Technology Review. These petitions include claims related to EPA's use of the 2016 updated IRIS value for EtO in the MON rulemaking. This updated IRIS value was the risk value used in the MON rulemaking. EPA is reviewing the petitions.

Separately, in 2018, the American Chemistry Council (ACC) submitted a request for correction under the Information Quality Act asking that the "NATA risk estimates for E.O. should be withdrawn and corrected to reflect scientifically supportable risk values." EPA is currently working to respond to the ACC request.

From: Kiah Collier <Kiah.Collier@propublica.org>
Sent: Tuesday, May 11, 2021 6:41 PM
To: Beal, Madeline <Beal.Madeline@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Media inquiry (EtO)

Got it, thank you. Tomorrow is fine!

On May 11, 2021, at 4:18 PM, Beal, Madeline <Beal.Madeline@epa.gov> wrote:

Kiah,

I am sharing a combined answer to your questions one and two below. On question three, we are working on a response. Would it be possible to get that one to you tomorrow?

1. Please outline any and all efforts the agency is undertaking to protect Americans from ethylene oxide, including but not limited to updating the Toxics Release Inventory.
2. How will the EPA respond to the two recent Office of Inspector General reports that identify problems related to ethylene oxide aside from any statutory requirements such as responding in writing? More specifically:
 - a. Is the EPA working to ensure that residents living near all of the facilities the agency identified as emitting dangerous levels of EtO are notified of the risks?

- i. For how many facilities has this been completed thus far?
 - ii. Which ones are left?
 - b. Does the EPA plan to conduct new RTRs for chloroprene- and ethylene oxide-emitting source categories?
 - i. If so, how soon?
- 3. Last year, the Texas Commission on Environmental Quality updated its EtO exposure limit to a level that is several thousand times less protective than the EPA has recommended. Does the agency have any plans to challenge or otherwise engage with TCEQ on this new standard?

Both environmental and industry groups have petitioned the EPA to reconsider the National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing Residual Risk and Technology Review. Can you say how the EPA plans to respond?

Response to Q1 and Q2 above: As EPA pursues its mission to protect human health and the environment addressing risk from Ethylene Oxide and Chloroprene are priorities for the Agency.

Clean Air Act Rules:

The Agency has set deadlines for completing a thorough review of its regulations that apply to industries that emit ethylene oxide or chloroprene, as required under the Clean Air Act. For each of these complex rules, the Agency will work to develop up-to-date, accurate information about emissions from the industries, share information with surrounding communities and seek public input during the rulemaking process. More broadly, as EPA noted to the Office of the Inspector General, the Agency is establishing a process as part of its Air Toxics Strategy to identify and effectively address emerging air toxics issues such as changes in health benchmarks, to help us determine whether changes to air toxics regulations are needed.

Regulation review schedule: The dates below are the dates for issuing final regulations that EPA provided to the OIG.

Note: some chemical manufacturing facilities may be subject to more than one regulation.

- Commercial Sterilizers: Quarter 4, Fiscal Year (FY) 2022
- Hospital Sterilizers: Quarter 4, FY 2023
- Group 1 Polymers and Resins (Neoprene): Quarter 2, FY 2024
- Synthetic Organic Chemicals Manufacturing Industry: Quarter 2, FY 2024
- Polyether Polyols Production: Quarter 4, FY 2024
- Chemical Manufacturing Area Sources: Quarter 4, FY 2024

Reporting under the Toxics Release Inventory:

As you noted, we recently announced a plan to update TRI.

Pesticide Registration:

EPA is currently reevaluating EtO's use as a sterilant under registration review, a process EPA conducts for all pesticides every 15 years.

- In 2020, EPA released a draft risk assessment for EtO that underscored the need for mitigation to protect the health of workers in sterilization facilities, as well as surrounding communities.
- In 2021, EPA will release its proposed interim decision for public comment as the next step in the registration review process. Interim registration review decisions impose risk mitigation measures necessary to protect the environment pending additional assessments including an endangered species assessment.

Research:

Improving measurement and monitoring technologies for EtO is a high priority research area for the EPA. Research is being conducted to aid in identifying emissions at or near a source (e.g. facility), evaluate how the emissions may travel away from the source into another area, and determine concentrations of the hazardous air pollutant in outdoor environments.

Outreach and Engagement:

Regarding your second question, Administrator Regan has directed several EPA Regions to update information on emissions and risk in areas identified in the 2014 NATA where outreach had not been conducted, and to share that updated information with communities. That work has begun and will be continuing this summer. EPA is also compiling more current and complete emissions data to generate new risk estimates for the more than 100 EtO sterilizers across

the country and will share this information with the public as part of an upcoming review of its air toxics regulation for ethylene oxide commercial sterilizers.

From: Beal, Madeline <Beal.Madeline@epa.gov>

Sent: Friday, May 7, 2021 10:14 AM

To: Kiah Collier <Kiah.Collier@propublica.org>

Cc: Press <Press@epa.gov>

Subject: RE: Media inquiry (EtO)

Kiah,

Thank you for your questions. I am working to get you answers by your deadline.

-Madeline

From: Kiah Collier <Kiah.Collier@propublica.org>

Sent: Thursday, May 6, 2021 7:48 PM

To: Beal, Madeline <Beal.Madeline@epa.gov>

Cc: Press <Press@epa.gov>

Subject: Re: Media inquiry (EtO)

Hi, Madeline:

My list of questions is below. I'd like to receive responses to all of them by COB on Tuesday, May 11, but feel free to send on a rolling basis. (If you need to prioritize, the question under the third bullet point related to Texas is most important — not intuitive, I know.)

Also, I'm told the webinar is May 20 and open to the public — is that correct?

Best,

Kiah

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- How will the EPA respond to the two recent Office of Inspector General reports that identify problems related to ethylene oxide aside from any statutory requirements such as responding in writing? More specifically:
 - Is the EPA working to ensure that residents living near all of the facilities the agency identified as emitting dangerous levels of EtO are notified of the risks?
 - For how many facilities has this been completed thus far?
 - Which ones are left?
 - Does the EPA plan to conduct new RTRs for chloroprene- and ethylene oxide-emitting source categories?
 - If so, how soon?
- Last year, the Texas Commission on Environmental Quality updated its EtO exposure limit to a level that is several thousand times less protective than the EPA has recommended. Does the agency have any plans to challenge or otherwise engage with TCEQ on this new standard?

- Both environmental and industry groups have petitioned the EPA to reconsider the National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing Residual Risk and Technology Review. Can you say how the EPA plans to respond?

On May 5, 2021, at 6:15 PM, Kiah Collier <kiah.collier@propublica.org> wrote:

Hi, Madeline:

Today turned out to be incredibly busy so I wasn't able to finalize my list of questions but will send them tomorrow. Thank you for asking about the webinar, I'd really like to attend if possible.

Best,
Kiah

On May 5, 2021, at 1:48 PM, Beal, Madeline <Beal.Madeline@epa.gov> wrote:

I am checking in with the team behind the webinar and will get back to you.

-Madeline

From: Kiah Collier <Kiah.Collier@propublica.org>
Sent: Tuesday, May 4, 2021 7:03 PM
To: Beal, Madeline <Beal.Madeline@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Media inquiry (EtO)

Madeline: Yes, I will send you a list of questions tomorrow.

In the meantime, I'm told that EPA Region 6 is holding an online town hall later this week to take public comments on ethylene oxide. It seems like it might be invite-only but I'd like to attend, if possible. Could you arrange that or should I contact the Region 6 press office?

Thanks for all your help.

Kiah

On May 4, 2021, at 5:03 PM, Beal, Madeline <Beal.Madeline@epa.gov> wrote:

Hi Kiah –

Thanks again for sending more information about your article. My specialty is risk communication, and after reviewing the scope of your article, it's clear that it will require technical expertise from a few different offices across EPA to answer them. So, if you don't mind, we will plan to provide written responses to your questions, as I gather the input from the various experts. I will then send the responses along and following that, if you have follow-ups or additional questions, we can go from there. Does that work? If so, would you share a list of questions?

-Madeline

From: Kiah Collier <Kiah.Collier@propublica.org>
Sent: Monday, May 3, 2021 4:25 PM
To: Beal, Madeline <Beal.Madeline@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Media inquiry (EtO)

Sure, no problem.

—
Kiah Collier
Reporter, ProPublica/Texas Tribune
Mobile/Signal: (512) 304-5049
Twitter: @kiahcollier

Sent from my iPhone

On May 3, 2021, at 2:36 PM, Beal, Madeline <Beal.Madeline@epa.gov> wrote:

Some of these questions are a little more technical than I thought they might be. Would it be possible for us to postpone a few days so that I can work on finding the right people to field some of the more technical questions?

-Madeline

From: Kiah Collier <Kiah.Collier@propublica.org>
Sent: Monday, May 3, 2021 1:28 PM
To: Beal, Madeline <Beal.Madeline@epa.gov>
Subject: Re: Media inquiry (EtO)

Hi, Madeline:

My story revolves around the cancer risk posed by ETO both in Texas and nationally. As you might know, RSEI models show it is significant but they are also based on the EPA's [2016 evaluation](#) of EtO carcinogenicity. It's my understanding that the EPA did not consider that evaluation when crafting [this MON rule](#), finalized during the Trump Administration, that environmental groups sued over. Court records indicate EPA has not responded to reconsideration petitions from both environmental and industry groups filed after President Biden took office.

I realize you likely cannot discuss pending litigation, at least not on the record, but I'm hoping you can outline what the EPA is actively doing with regards to ETO. The website suggests there are some reviews underway but some of the pages aren't dated so I'm hoping you can walk me through what's current. I may request on-record comment at a later date.

I hope that helps.

Many thanks,
Kiah

On Apr 30, 2021, at 7:36 PM, Beal, Madeline <Beal.Madeline@epa.gov> wrote:

I meant to ask if there is any more information about the scope or focus of this article that might help me prepare. If you can share some details in advance, I would appreciate it.

-Madeline

From: Kiah Collier <Kiah.Collier@propublica.org>

Sent: Friday, April 30, 2021 6:24 PM

To: Beal, Madeline <Beal.Madeline@epa.gov>

Subject: Re: Media inquiry (EtO)

Madeline: Apologies for the delayed response. Any of those windows on Tuesday would work, so it's up to you. Thanks for setting this up.

On Apr 30, 2021, at 3:59 PM, Beal, Madeline <Beal.Madeline@epa.gov> wrote:

Kiah,

I am cleared to set this up. I am free on Tuesday either: 1-2pm ET or after 3:30pm ET. Let me know what time you think would work and how much time you think we will need and I will send a Teams invite (if that is amenable to you).

-Madeline

Madeline Beal, MPH

Senior Risk Communication Advisor

Office of the Administrator

Environmental Protection Agency

(202)564-4680 (desk)

Ex. 6 Personal Privacy (PP)

beal.madeline@epa.gov

From: Beal, Madeline <Beal.Madeline@epa.gov>

Sent: Friday, April 30, 2021 11:40 AM

To: Kiah Collier <Kiah.Collier@propublica.org>; Harwood, Jackie <Harwood.Jackie@epa.gov>

Cc: Press <Press@epa.gov>

Subject: RE: Media inquiry (EtO)

Kiah,

Thanks for your inquiry. We are considering the response and scheduling. I will get back to you later today with an update.

-Madeline

Madeline Beal, MPH

Senior Risk Communication Advisor
Office of the Administrator
Environmental Protection Agency
(202)564-4680 (desk)

Ex. 6 Personal Privacy (PP)

beal.madeline@epa.gov

From: Kiah Collier <Kiah.Collier@propublica.org>
Sent: Thursday, April 29, 2021 4:29 PM
To: Harwood, Jackie <Harwood.Jackie@epa.gov>
Cc: Beal, Madeline <Beal.Madeline@epa.gov>; Press <Press@epa.gov>
Subject: Re: Media inquiry (EtO)
Importance: High

Thanks very much.

On Apr 29, 2021, at 2:08 PM, Harwood, Jackie <Harwood.Jackie@epa.gov> wrote:

Hi Kiah,

My colleague Madeline Beal passed your email on to me since she is tied up today. We are looking into your request and will get back to you soon.

Thanks,
Jackie

Jackie Harwood
Senior Advisor
Office of Public Affairs
U.S. Environmental Protection Agency
(202) 564-7578
Harwood.Jackie@epa.gov

From: Kiah Collier <Kiah.Collier@propublica.org>
Sent: Thursday, April 29, 2021 12:53 PM
To: Beal, Madeline <Beal.Madeline@epa.gov>
Subject: Media inquiry (EtO)

Hi, Madeline:

I'm an investigative reporter for ProPublica and The Texas Tribune, based in Austin. I'm hoping you might be able to talk to me on background or at least point me to key links or other information outlining what's going on at the EPA on the ethylene oxide front. Of course I've already found a lot on the agency website but I want to be sure I'm getting the full picture and latest status of various efforts. A lot of the pages outlining ongoing efforts don't have dates, as you probably know, and I wonder how recently they've been updated.

I'm also wondering if the EPA plans to review Texas' new EtO standards or address them in any way.

My deadline is flexible but by EOD Tuesday would be great.

Many thanks,
Kiah

Kiah Collier
Reporter
ProPublica/Texas Tribune Investigative Initiative

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